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9:01 am, May 09 2024

AT GREENBELT
 CLERK, U.S. DISTRICT COURT
 DISTRICT OF MARYLAND
 BY cm Deputy

KOH
 BAR/TFH: USAO 2024R00177

**IN THE UNITED STATES DISTRICT COURT
 FOR THE DISTRICT OF MARYLAND**

UNITED STATES OF AMERICA

v.

WILLIAM CHARLES TOYE,

Defendant

CRIMINAL NO. 8:24-mj-00780-GLS

UNDER SEAL

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT AND ARREST WARRANT

Your Affiant, Miguel Urena, being duly sworn, deposes and states the following:

INTRODUCTION

1. I am a Task Force Officer with the Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF"). I am also a Corporal with the Maryland-National Capital Park Police ("MNCPP") and have been employed with the MNCPP since 2007. I have received training in general law enforcement through the Prince George's County Community Policing Institute. I have also attended and completed trainings on firearms, including trainings on firearm trafficking, illegal firearm purchases and sales, firearm manipulation, firearm building, and firearm dismantling. Additionally, I have extensive training on the provisions of the federal firearms laws administered under Title 18 of the United States Code. I have investigated cases related to firearm trafficking, firearm straw purchases, illegal firearm possession, and use of firearms while committing violent crime. I have also conducted multiple investigations at the federal and state level resulting in the arrest and conviction of violent crime offenders.

2. This affidavit is made in support of a criminal complaint and arrest warrant for **WILLIAM CHARLES TOYE ("TOYE")**, for violating 18 U.S.C. § 922(g)(1) (felon in possession of a firearm).

3. The facts in this affidavit come from my personal observations, my training and experience, and my review of information obtained from other law enforcement participating in this investigation, reports and documents associated with the investigation, and body-worn camera footage. Since this affidavit is being submitted for the limited purpose of securing a criminal complaint and arrest warrant, I have not included each and every fact known to me concerning this investigation.

PROBABLE CAUSE

4. On January 29, 2024, a tow truck driver approached two Forest Heights Police Department officers sitting in their cruisers in a parking lot in Oxon Hill, Maryland and reported that a car was sitting at a traffic light for over an hour at an intersection up the road. The officers immediately responded to the area and saw a black GMC Yukon, bearing Virginia registration, stopped at an intersection and not moving. The Yukon was running with its taillights on.

5. The officers approached both sides of the vehicle on foot to investigate and noticed that the side windows were heavily tinted. The driver and sole occupant appeared to be asleep as the officers knocked on the driver-side door and passenger-side door. The driver appeared unresponsive. After several seconds of knocking, the driver woke, his foot lifted from the brake, and the vehicle rolled slowly forward toward the intersection. Officers repeatedly commanded the driver to stop the vehicle. The driver adjusted the gear shift located behind the steering wheel and while doing so unlocked the doors.

6. The officer on the Yukon's passenger side was able to then open the door in order to access the gear shift to ensure that the Yukon would not again roll forward and enter the intersection. Upon opening the door to access the gear shift, the officer saw in plain view a silver

and black handgun on the center armrest next to the driver. That officer promptly seized the handgun.

7. The handgun seized from the Yukon was a Sturm Ruger SR9C 9mm semi-automatic pistol, bearing serial number 332-56637, loaded with one round in the chamber. The recovered Sturm Ruger SR9C 9mm semi-automatic pistol is a firearm as defined in Title 18 U.S.C. § 921(a)(3). It was manufactured in Prescott, Arizona and would have traveled in foreign or interstate commerce prior to its recovery on January 29, 2024 in Maryland.

8. The driver and sole occupant of the Yukon was identified by his driver's license as **TOYE**. I caused a criminal history check of **TOYE** through the National Crime Information Center ("NCIC") and learned that prior to January 29, 2024, **TOYE** was convicted in the United States District Court for the District of Maryland for a crime punishable by a term of imprisonment exceeding one year. *See* Case No. 8:05-cr-442-PJM. **TOYE** was sentenced to a term of imprisonment of 130 months and has not been pardoned for that offense. *Id.*

CONCLUSION

9. I respectfully submit that probable cause exists to believe that on or about January 29, 2024, **TOYE**, knowing he had been previously convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed a firearm—that is, a Sturm Ruger SR9C 9mm semi-automatic pistol—and the firearm was in and affecting commerce, in violation of 18 U.S.C. § 922(g)(1).



Miguel Urena
Task Force Officer
Bureau of Alcohol, Tobacco, Firearms and
Explosives

Affidavit submitted by email and attested to me as true and accurate by telephone consistent with Fed. R. Crim. P. 4.1 and 4(d) this 8th day of May, 2024.



Honorable Gina L. Simms
United States Magistrate Judge